

Fac/Perm/Co ID #	Date	Doc ID#
41-22T	3/11/09	7007
		DIN

DW



2009012308

GUILFORD CO, NC FEE \$50.00

PRESENTED & RECORDED:

03-04-2009 10:24:22 AM

JEFF L. THIGPEN

REGISTER OF DEEDS

BY: LINDA F. ALLRED

DEPUTY-GB

BK: R 6983

PG: 2152-2164

A
13

PERMIT TO CONSTRUCT AND OPERATE

NOTE: THE SPACE ABOVE IS FOR THE REGISTER OF DEEDS USE
THIS PAGE IS PROVIDED FOR RECORDATION PURPOSES. THE ENTIRE DOCUMENT, INCLUDING THIS PAGE, SHOULD BE RECORDED IN THE GRANTOR INDEX UNDER THE NAME OF THE LANDOWNER FOR THE PARCEL OF PROPERTY LOCATED IN GUILFORD COUNTY AND SAID PROPERTY BEING OWNED BY BURNT POPLAR TRANSFER, LLC AND FURTHER IDENTIFIED BY THE DEEDS RECORDED AS LISTED BELOW:

Guilford County, N.C. Register of Deeds				
Book	Page	Grantee	Grantor	Parcel No.
6966	1734	Burnt Poplar Transfer, LLC	Hilltop Properties, LLC	00-94-7031-0-0959-00-038
Total Site Acreage: 6.8 acres				

THE PURPOSE OF THIS RECORDATION IS TO NOTIFY FUTURE BUYERS OF SAID PROPERTY THAT A SOLID WASTE MANAGEMENT ACTIVITY HAS OPERATED ON THE PROPERTY.

*WCA
5830 RIVERDALE DR
JAMESTOWN NC
27282
ATTN: JOHN WALKER*



Facility Permit No: 41-22T-Transfer-2009
Permit to Construct and Operate
Burnt Poplar C&D Transfer Station
February 20, 2009
Doc ID: 6854
Page 1 of 11

North Carolina Department of Environment and Natural Resources
Division of Waste Management

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
SOLID WASTE SECTION

SOLID WASTE MANAGEMENT FACILITY
Permit No. 41-22T-Transfer-2009



BURNT POPLAR TRANSFER, LLC
and WCA WASTE SYSTEMS, INC., wholly owned subsidiaries of
WCA WASTE CORPORATION
are all hereby issued a

PERMIT TO CONSTRUCT and OPERATE

BURNT POPLAR C&D TRANSFER STATION
A CONSTRUCTION AND DEMOLITION DEBRIS (C&D) TRANSFER FACILITY

Located at 6313 Burnt Poplar Road, in western Greensboro, Guilford County, North Carolina, in accordance with Article 9, Chapter 130A, of the General Statutes of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this permit. The legal description of the site is identified on the deeds recorded for this property listed in Attachment No. 1 of this permit.

Edward F. Mussler III, P.E.
on=Edward F. Mussler III, P.E.,
c=US, o=Division of Waste
Management, ou=Solid Waste
Section, email=ed.
mussler@ncmail.net
I have reviewed this document
and am approving this
document
2009.02.20 15:05:04 -05'00'

Edward F. Mussler, III, P.E.,
Permitting Branch Supervisor
Solid Waste Section

ATTACHMENT 1

PART I: PERMITTING HISTORY

Issuance	Date
Original Issue Permit to Construct and Operate	February 20, 2009

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

1. *C&D Transfer Station Permit Application for Burnt Poplar Transfer, LLC.* Prepared by: David Garrett, P.G., P.E.; Raleigh, NC. December 14, 2007. Revised September 2, 2008 and February 10, 2009. DIN 5709.

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Guilford County, N.C. Register of Deeds				
Book	Page	Grantee	Grantor	Parcel No.
6966	1734	Burnt Poplar Transfer, LLC	Hilltop Properties, LLC	00-94-7031-0-0959-00-038
Total Site Acreage: 6.8 acres				

The property is identified as Lot 2 on Plat Book 168, page 33.

PART IV: GENERAL CONDITIONS

1. This permit is issued by the North Carolina Department of Environment and Natural Resources, Division of Waste Management, Solid Waste Section (Section). In accordance with North Carolina Solid Waste Management Rule 15A NCAC 13B .0201(d), a solid waste management facility permit shall have two parts: a Permit to Construct and a Permit to Operate. The Permit to Construct shall expire on August 20, 2010. The Permit to Construct must be implemented in accordance with Attachment 2 of this permit. The Permit to Operate shall expire February 20, 2015. The Permit to Operate must be implemented in accordance with Attachment 3 of this permit.
2. The persons to whom this permit is issued ("permittee") are the owners and operators of the solid waste management facility.

3. This permit shall not be effective until the certified copy of this permit which references legal descriptions for all land within the solid waste management facility boundary is recorded in the Register of Deeds office and indexed in the grantor index under the name of the owner of the land in the county or counties in which the land is located. The certified copy of the permit affixed with the Register's seal and the date, book, and page number of recording must be returned to the Section within 30 calendar days of issuance of this permit. If the Section does not receive the certified copy of the recorded permit within 30 calendar days of issuance of the permit, then and in that event, the permit is suspended and of no effect until the date the Section receives the certified copy of the recorded permit.
4. (Intentionally blank)
5. By beginning construction or receiving waste at this facility the permittee shall be considered to have accepted the terms and conditions of this permit.
6. Construction and operation of this solid waste management facility must be in accordance with the Solid Waste Management Rules, 15A NCAC 13B, Article 9 of Chapter 130A of the North Carolina General Statutes (NCGS 130A-290, et seq.), the conditions contained in this permit; and the approved plan. Should the approved plan and the rules conflict, the Solid Waste Management Rules shall take precedence unless specifically addressed by permit condition.
7. This permit is issued based on the documents submitted in support of the application for permitting the facility identified in Attachment 1, "List of Documents for Approved Plan," that constitutes the approved plan for the facility. Where discrepancies exist, the most recent submittals and the Conditions of Permit shall govern.
8. This permit may be transferred only with the approval of the Section and through the issuance of a new or substantially amended permit in accordance with applicable statutes and rules. In accordance with NCGS 130A-295.2(g) the permittee must notify the Section thirty (30) days prior to any significant change in the identity or business structure of either the owner or the operator, including but not limited to, a proposed transfer of ownership of the facility or a change in the parent company of the owner or operator of the facility.
9. The permittee is responsible for obtaining all permits and approvals necessary for the development of this project including approval from appropriate agencies for a General or Individual National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit. Issuance of this permit does not remove the permittee's

responsibilities for compliance with any other local, state or federal rule, regulation or statute.

- End of Section -

ATTACHMENT 2 CONDITIONS OF PERMIT TO CONSTRUCT

PART I: FACILITY SPECIFIC CONDITIONS

1. Pursuant to the NC Solid Waste Management Rules (Rule) 15A NCAC 13B .0201(c) and (d)(1), this permit approves construction of the C&D transfer station.
2. The initial, substantial, construction authorized by this Permit to Construct must commence within 18 months from the issuance date of this permit. If substantial construction does not begin within 18 months from the issuance date of this permit, then the permit shall expire. Substantial construction includes, but is not limited to, issuance of construction contracts, mobilization of equipment on site, and construction activities including installation of sedimentation and erosion control structures. The permittee may re-apply for the Permit to Construct prior to the expiration date. The re-application will be subject to the statutes and rules in effect on that date and may be subject to additional fees.
3. Construction of the transfer facility must be in accordance with the approved plans, Attachment 1, Part II, Document 1. Any revision or modification to these plans shall be submitted to the Section for review and approval prior to installation, construction or implementation of the change, and may be subject to a permitting fee.
4. All sedimentation and erosion control activities must be conducted in accordance with the Sedimentation Control Act N.C.G.S. 113A-50, et seq., and rules promulgated under 15A NCAC 4.
5. An approval to operate by the Section is required prior to commencement of operations at the referenced transfer facility. The following requirements shall be met prior to issuance of an approval to operate:
 - a. A site inspection shall be made by a representative of the Section.
 - b. Construction must be completed in accordance with the approved plan. A certification letter stating that the facility and related infrastructure was constructed in accordance with the approved plan shall be submitted to the Section by the Project Engineer who shall be a North Carolina registered professional engineer.

- c. One copy of the construction record (As-built) drawings and one electronic copy must be submitted to the Section for filing and records.
 - d. Financial assurance documentation must be submitted in accordance with state rules and statutes, and reviewed and approved by the Solid Waste Section.
 - e. A copy of the erosion control/grading permit must be submitted to the Solid Waste Section. If there are changes to the proposed operation or facility layout because of the review and approval of these permits, the changes must be approved by the Solid Waste Section before implementation.
6. A representative of the Section shall notify the Permitting Branch Supervisor in writing, either by letter or e-mail, that the conditions have been met. The owner and operator shall be copied on the correspondence. The notification shall suffice as permission to operate as of the date of the notification.

- End of Section-

ATTACHMENT 3 CONDITIONS OF PERMIT TO OPERATE

PART I: OPERATING CONDITIONS

1. The Permit to Operate shall expire February 20, 2015. Pursuant to 15A NCAC 13B .0201(e), no later than October 20, 2014, the owner or operator must submit a request to the Section for permit review and must update pertinent facility plans including, but not limited to, the facility operation and waste screening plans.
2. The transfer facility is permitted to receive the following waste types:
 - a. "Construction or demolition debris" as defined in G.S. 130A-290 (a)(4) means solid waste resulting solely from construction, remodeling, repair or demolition operations on pavement, buildings, or other structures, but does not include inert debris, land-clearing debris or yard debris.
 - b. "Inert debris" as defined in G.S. 130A-290 (a)(14) means solid waste that consists solely of material such as concrete, brick, concrete block, uncontaminated soil, rock, and gravel.
 - c. "Land-clearing debris" as defined in G.S. 130A-290 (a)(15) means solid waste that is generated solely from land-clearing activities, such as stumps and tree trunks.
 - d. "Asphalt" in accordance with G.S. 130-294(m).
 - e. Source separated cardboard, clean wood debris (including pallets), and metals from non-construction or demolition debris sources may be accepted for recycling, in accordance with condition 12 of Attachment 3, Part I.
3. Those wastes listed in 15A NCAC 13B .0542 (e), must not be accepted at the facility including, but not limited to, municipal solid waste, liquid waste, commercial and industrial wastes, and yard trash. Regulated asbestos containing material as defined in 40 CFR 61 must not be accepted at the transfer facility. Barrels and drums shall not be accepted unless they are empty and perforated sufficiently to ensure that no liquid or hazardous waste is contained therein.
4. This facility is permitted to receive construction and demolition debris waste generated within Guilford, Forsyth, Randolph, and Davidson counties. Waste must be transported

for disposal to the WCA Landfill located in Highpoint, Permit Number 41-16, or to the Cobles C&D Landfill at 5833 Foster's Store Road in Liberty, Permit Number 01-05. Waste must only be transported to facilities whose service area includes the generation source. Proposed changes to the service area and/or the disposal facilities must be approved by the Section and are a modification to the permit and may be subject to a permitting fee.

5. The permittee must not knowingly dispose of, or accept for transfer for subsequent disposal, C&D waste that is generated within the boundaries of a unit of local government that by ordinance:
 - a. Prohibits generators or collectors of C&D waste from disposing of that type or form of C&D waste.
 - b. Requires generators or collectors of C&D waste to recycle that type or form of C&D waste.
6. A responsible individual trained and certified in facility operations must be on-site at all times during all operating hours of the facility, in accordance with G.S. 130A-309.25. An attendant must be present to oversee the loading and unloading of waste.
7. The permittee must develop and use a training and screening program at the facility for detecting and preventing unauthorized wastes from being accepted at the facility. At a minimum, the program must include:
 - a. Random inspections of incoming loads or other comparable procedures.
 - b. Records of all inspections.
 - c. Training of personnel to recognize hazardous, liquid and other excluded waste types.
 - d. Development of a contingency plan to properly manage any identified hazardous, liquid, MSW or other excluded or unauthorized wastes. The plan must address identification, removal, storage and final disposition of these wastes.
8. The facility must be adequately secured by means of gates, chains, berms, fences, or other security measures approved by the Solid Waste Section to prevent unauthorized entry.
9. Interior roadways must be of all-weather construction and maintained in good condition.

10. Signs must be posted at the entrance to the facility that state that no MSW, hazardous waste or liquid waste can be received at the facility; and provides information on dumping procedures, the hours of operation, the permit number, and other pertinent information. Traffic signs or markers must be provided as necessary to promote an orderly traffic pattern to and from the discharge area and to maintain efficient operating conditions.
11. Only cardboard, clean wood debris (including pallets), and metals are approved for recycling. Engineered or glued wood (such as particle board) and painted debris are not approved for recycling.
12. Source separated recyclables from non-C&D waste sources, consisting of only cardboard, clean wood debris (including pallets), and metals, may be accepted at the facility. These recyclables must be unloaded directly into storage containers, and not placed on the tipping floor.
13. Demolition debris waste must not be sorted for recycling, unless an asbestos screening plan has been submitted to the Division of Epidemiology of the Department of Health and Human Services for approval and the approved plan forwarded to the Section for inclusion in the operations plan for the facility.
14. Except for inert debris, all recyclables must be sorted and stored in containers by the end of each operating day. Containers must be covered at the end of each operating day, and during precipitation events. All non-recyclables in the sorting area must be placed in transfer trailers for disposal by the end of each operating day.
15. Waste may be stored on-site, in leak proof transfer trailers, with watertight covers, a maximum of 24 hours except that a minimal amount of waste may be stored for a maximum of 48 hours when the facility is closed during a weekend and a maximum of 72 hours when closed for a weekend holiday. Storage of the waste must not cause any nuisance, such as odor or attraction of vectors.
16. Recycled materials placed in containers must be removed from the site once the container is full. Recyclable material must not be stored onsite longer than one year. The approved maximum storage volume of recycled materials onsite at any time is approximately 300 cubic yards, or the volume of three (3) 45-foot tractor trailer loads.
17. All water that comes in contact with solid waste, including vehicle wash-down water, is leachate and must be captured and properly treated before release to the environment.

- a. The leachate control system, such as floor drains, leachate collection devices, sanitary sewer connections and leachate storage tanks, must be operational during facility operations.
 - b. The tipping floor must drain away from the building entrance and into the leachate collection system.
18. All sedimentation and erosion control activities must be conducted in accordance with the Sedimentation Control Act N.C.G.S. 113A-50, et seq., and rules promulgated under 15A NCAC 4.
19. Control measures must be utilized to minimize and eliminate visible dust emissions and blowing litter. Fugitive dust emissions are prohibited. Windblown materials must be collected by the end of each operating day, and no windblown material may be allowed to leave the facility boundary.
20. Copies of this permit, the approved plans and all records required to be maintained by the permittee must be maintained at the facility, unless otherwise approved by the Section, and made available to the Section upon request during normal business hours.
21. The permittee must maintain a record of the amount of solid waste received at the facility, including daily records of waste received and origins of the loads. Scales must be used to weigh the amount of waste received. The permittee must maintain a record of the amounts of waste transported out of the facility for disposal, amounts of materials transported out of the facility for recovery and recycling, and amounts of waste or material with any other final disposition, to be compiled on a monthly basis. The daily records are to be summarized into a monthly report for use in the required annual reports, to include a comparison of incoming versus outgoing amounts. Documentation of end-users/processors/recyclers must be maintained for recycled and recovered materials.
22. On or before August 1 annually, the Permittee must submit an annual facility report to the Solid Waste Section, on forms prescribed by the Section.
 - a. The reporting period shall be for the previous year beginning July 1 and ending June 30.

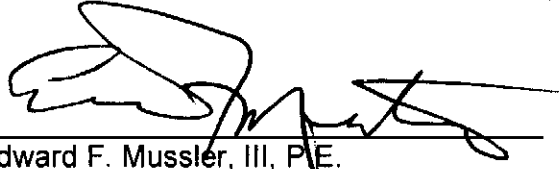
- b. The annual facility report must list the amount of waste received in tons and be compiled:
 - i) On a monthly basis.
 - ii) By county, city or transfer station of origin.
 - iii) By specific waste type.
 - iv) By receiving disposal facility.
 - v) By diversion to alternative management facilities.
 - c. The tons of C&D waste recycled, recovered or diverted from disposal including a description of how and where the material was ultimately managed must be included in the report.
 - d. The completed report must be forwarded to the Regional Environmental Specialist for the facility by the date due on the prescribed annual facility report form.
 - e. A copy of the completed report must be forwarded to each county manager for each county from which waste was received the facility. Documentation that a copy of the report has been forwarded to the county managers must be sent to the Regional Environmental Specialist by the date due on the prescribed annual facility report form.
23. Processing of materials, shredding, or grinding must not take place at the facility unless approval has been granted under the special use permit and a revised operations plan has been submitted to the Solid Waste Section.
24. Financial assurance as required by state rules and statutes must be established with proof submitted to the Division before the facility begins receiving waste. The financial assurance must be continuously maintained for the duration of the facility in accordance with applicable rules and statutes.

**PART II: MISCELLANEOUS SOLID WASTE MANAGEMENT CONDITIONS,
(SPECIFY)**

Not applicable

- End of Permit Conditions -

I do hereby certify that the attached PERMIT TO CONSTRUCT AND OPERATE is an exact and true original of PERMIT NUMBER 41-22T-Transfer-2009 for the Burnt Poplar C&D Transfer Station.



Edward F. Mussler, III, P.E.
Permitting Branch Supervisor
Solid Waste Section
Division of Waste Management

North Carolina

Wake County

I, Betty Jo Stanfield, Notary Public for Wake County,

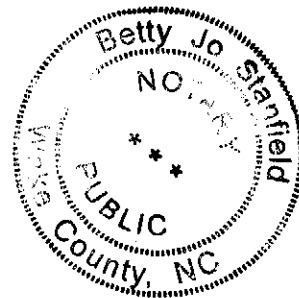
North Carolina, do hereby certify that Edward F. Mussler, III, Supervisor of the Permitting Branch, Solid Waste Section, Division of Waste Management, NCDENR, personally appeared before me this day and acknowledge the due execution of the foregoing instrument.

Witness my hand and official seal,

This the 23 day of February, 2009.

OFFICIAL SEAL


NOTARY PUBLIC



My commission expires December 29, 2009.

Note to Register of Deeds: This certified original permit shall be recorded by the Register of Deeds and indexed in the grantor index under the name of the land owner. The certified original affixed with the Register's seal and the date, book, and page number of recording shall be returned to the Permitting Branch Supervisor, Division of Waste Management, Solid Waste Section, 1646 Mail Service Center, Raleigh, NC 27699-1646.